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DIST 23 AUGUST 1972

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1. AFTER AN ALL DAY SESSION, AT 2200 HOURS THE CHILEAN HOUSE OF DEPUTIES PASSED A RESOLUTION DENOUNCING ACTIONS OF THE GOVERNMENT OF PRESIDENT SALVADOR ALLENDE AS HAVING SERIOUSLY RUPTURED THE CONSTITUTIONAL AND LEGAL ORDER OF THE NATION. THE RESOLUTION CONTAINED THESE FOUR SECTIONS:

A. TO MAKE KNOWN TO THE PRESIDENT AND THE MINISTERS OF GOVERNMENT WHO ARE MEMBERS OF THE ARMED FORCES AND THE CARABINEROS UNIFORMED NATIONAL POLICE: THE SERIOUS RUPTURE OF THE LEGAL AND CONSTITUTIONAL ORDER IN THE REPUBLIC CAUSED BY THE EVENTS

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AND CIRCUMSTANCES REFERRED TO IN THE FIFTH TO THE THE TWELTH POINTS ABOVE. THIS IS AN APPARENT REFERENCE TO THE SPECIFIC AND SYSTEMATIC VIOLATIONS OF CONSTITUTIONAL POWERS AND NORMS.

COMMENT: ACCORDING TO "LA SEGUNDA" OF 22 AUGUST, THESE VIOLATIONS INCLUDE: TRAMPLING OF CONGRESSIONAL POWERS BY LEGISLATING THROUGH DECREES OF INSISTENCE, ADMINISTRATIVE MEASURES BASED ON "LEGAL REQUISITIONS," EVADING ACCOUNTING AND CONGRESSIONAL OVERSIGHT FUNCTIONS, REFUSING TO PROMULGATE CONSTITUTIONAL REFORMS IN THE THREE AREAS OF THE ECONOMY. VIOLATIONS OF JUDICIAL POWERS INCLUDE: MOUNTING CAMPAIGNS ATTACKING SUPREME COURT JUDGES, FRUSTRATING JUDICIAL ACTIONS WHEN DEFENDENTS ARE HEWERS OF GROUPS OR PARTIES BELONGING TO THE GOVERNMENT, VIOLATING EXPRESS LAWS GOVERNING THE SEPERATION OF POWERS, FAILING TO CARRY OUT JUDICIAL DECISIONS AND SENTENCES, CONCERNING THE OFFICES OF THE COMPTROLLER, THE GOVERNMENT HAS BEEN SYSTEMATICALLY VIOLATING ITS JUDGEMENTS. THE GOVERNMENT ALSO HAS VIOLATED THE PRINCIPLE OF EQUALITY BEFORE THE LAW, LIBERTY OF EXPRESSION, THE PRINCIPLE OF UNIVERSAL AUTONOMY BY IMPEDING AND REPRESSING THE RIGHT OF ASSEMBLY. IT HAS MADE ATTEMPTS AGAINST ACADEMIC FREEDOM, VIOLATED THE --

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RIGHT TO PROPERTY: BY ABETTING ILLEGAL SEIZURES OF LAND,
ORDERED ILLEGAL ARRESTS, AND HAS FAILED TO RECOGNIZE THE
RIGHTS OF WORKERS.)

B. TO MAKE KNOWN TO THE ABOVE OFFICIALS, THAT BECAUSE OF
THEIR FUNCTIONS AND OATHS OF LOYALTY TO THE CONSTITUTION AND,
IN THE CASE OF THE MILITARY MINISTERS BECAUSE OF THE NATURE
OF THE INSTITUTIONS OF WHICH THEY ARE IMPORTANT MEMBERS AND
WHOSE NAME HAS BEEN INVOKED TO INCORPORATE THEM IN THE CABINET,
THAT IT FALLS TO THEM TO PUT IMMEDIATE END TO ALL THE SITUATIONS
OF FACT CITED THAT VIOLATE THE CONSTITUTION AND THE LAWS, TO
GUIDE THE ACTION OF THE GOVERNMENT THROUGH LAWFUL CHANNELS
AND ASSURE CONSTITUTIONAL ORDER IN OUR COUNTRY AND THE BASIC
ESSENTIALS FOR DEMOCRATIC COEXISTENCE AMONG CHILEANS.

C. TO DECLARE THAT IF THE ABOVE ACTIONS ARE TAKEN THE
PRESENCE OF THE REFERRED TO MILITARY MINISTERS IN THE GOVERNMENT
WOULD SIGNIFY A VALUABLE SERVICE TO THE REPUBLIC, IN CASE OF
THE CONTRARY, THIS WOULD SERIOUSLY COMPROMISE THE NATIONAL
AND PROFESSIONAL CHARACTER OF THE ARMED FORCES AND THE CARABINEROS
AND WOULD BE THE CLEAR INFRACTION OF THE PROVISIONS OF ARTICLE
22 OF THE CONSTITUTION AND A GRAVE LOSS OF THEIR INSTITUTIONAL

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PRESTIGE.

D. TO TRANSMIT THIS RESOLUTION TO THE PRESIDENT OF THE
REPUBLIC AND TO THE MINISTERS OF TREASURY, NATIONAL DEFENSE,
PUBLIC WORKS AND TRANSPORT, AND LANDS AND SETTLEMENT.

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